

PARTITION DEED

THIS PARTITION DEED made and entered into by and between **BETTY MASON BLYTHE**, as Trustee of the Credit Shelter or Exemption Equivalent Trust created under the Will of Shelton M. Blythe, Deceased, of record in Will Book 14 at Page 30 of the official records of Desoto County, Mississippi , the Grantor herein, and hereinafter referred to as "Trustee", and **BETTY MASON BLYTHE**, individually, the Grantee herein, and hereinafter referred to as "Blythe",

W I T N E S S E T H:

WHEREAS, Blythe and Trustee hold title to certain real property hereinafter described in an estate "in common"; and

WHEREAS, Blythe and Trustee desire to partition and divide their title to the real property currently held in common in order that each shall hereinafter separately hold title to an equivalent, undivided, share based upon the value of the real property; and

WHEREAS, Trustee has plenary authority under the Will of Shelton M. Blythe, Deceased, to sell or exchange her "in common" interest in the real property, such authority to be exercised without prior or subsequent court order or report; and

WHEREAS, to accommodate the provision in the Will of Shelton M. Blythe, Deceased, devising and bequeathing the principal of the Credit Shelter and Exemption Equivalent Trust created thereunder to the decedent's children, Greene and Alice, in fee simple, upon the death of Betty Mason Blythe, with Greene's interest being funded with an interest in the "Lambert Place" including all buildings and houses, with the

prepara

exception of Alice's home and lot comprising three acres, more or less, and Alice's interest being funded with an interest in the "Long Pond Place"; and

WHEREAS, to insure that the interests in the real property set apart to Blythe, and Trustee are substantially equivalent in value and that the interests in the "Lambert Place" and the "Long Pond Place" are also substantially equivalent in value, Blythe employed John Fiser of Clarksdale, Mississippi, a licensed appraiser of the State of Mississippi, to perform an appraisal of the real property to assure that part of the real property hereinafter set apart to Blythe, and that part of the real property set apart to Trustee by separate instrument of even date herewith, are substantially equivalent in value and the interests in the "Lambert Place" and the "Long Pood Place" are likewise substantially equivalent in value; and

WHEREAS, the said John Fiser determined that all of the acreage in the "Lambert Place" lying on the protected side of the Mississippi River levee, and all of the acreage in the "Long Pond Place" was of equal per acre value, and that the 20.3 acres in the "Lambert Place" lying on the unprotected side of the Mississippi River levee had a value of \$1,600.00 per acre.

NOW, THEREFORE, IN CONSIDERATION of the exchange for an undivided one-half ($\frac{1}{2}$) interest in and to real property of a equivalent value held in common by Blythe, as hereinbefore described, and for other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, Blythe, as Trustee, does hereby convey unto Blythe the trusts undivided one-half ($\frac{1}{2}$) interest in and to that

certain real property situate in Desoto County, Mississippi, more particularly described as follows, to-wit:

All of Section 19, Township 1, Range 9 West lying north and east of Horn Lake; and also, all that part of said Section 19, which lies south and west of Horn Lake, less and except that part heretofore conveyed to the Board of Levee Commissioners for the Yazoo and Mississippi Delta, and less and except 14.75 acres, more or less, heretofore conveyed to Alice Blythe Denton, and less and except 4.46 acres, more or less, heretofore conveyed to Joseph Greene Blythe; and

Also

All that part of the South half of Section 20, Township 1, Range 9 West, which lies south and west of Horn Lake, less and except that part heretofore conveyed to the Board of Levee Commissioners for the Yazoo and Mississippi Delta; and

Also

All of Section 30, Township 1, Range 9 West, less and except a strip off of the South side thereof of uniform width, said strip containing 20.50 acres, and further, less and except a lot containing 2 acres, more or less, conveyed by A. M. McKay by deed dated April 20, 1882 to the Trustees of the New Hope Baptist Church No. 3 of Desoto County, Mississippi, said deed being of record in Deed Book 4 at Page 139 of the Land Deed Records of Desoto County, Mississippi, and less and except a lot containing one acre, more or less, lying immediately west and adjacent to said New Hope Baptist Church lot, conveyed to Desoto County, Mississippi for school purposes, by deeds of record in Book 32, Page 489 and Book 35, Pages 171 and 172 of the Land Deed Records of Desoto County, Mississippi;

All of the foregoing lands lying and being situate in Desoto County, Mississippi.

LESS AND EXCEPT THE FOLLOWING LANDS:

A part of the Lambert Place described as follows:

TRACT I

All exposed lands and accretions thereto on the unprotected side of the Mississippi River Levee property in Section 19 and consisting of 20.3 acres, more or less, according to the Desoto County Tax Assessors' Office. All being in the North Half of Section 19, Township 1 South, Range 9 West, Desoto County, Mississippi.

TRACT II

Commencing from the common corner of Sections 19, 20, 29 and 30, Township 1 South, Range 9 West, Desoto County, Mississippi;

Thence East along the South line of said Section 20, 860 feet to the South Side of the Levee Board property;

Thence North $59^{\circ}15'$ West 1000 feet along the Levee Board property to a point;

Thence North $63^{\circ}13'$ West 428 feet along the Levee Board property to a point;

Thence North $54^{\circ}55'$ West 344 feet along the Levee Board property to a point;

Thence North $69^{\circ}40'$ West 1509 feet along the Levee Board property to a point;

Thence South $37^{\circ}27'$ West 2213 feet to a point on the North Right of Way of Norfolk Road;

Thence South $52^{\circ}33'$ East 3186 feet along said road to the West side of the New Hope Baptist Church property;

Thence along the North side of the Church property to a point intersecting the East line of said Section 30;

Thence North along said Section line 2395 feet to the Point of Beginning and containing 190.3 acres, more or less. All being in the South Half of Section 19, the Southwest Quarter of Section 20 and the North Half of Section 30, Township 1 South, Range 9 West, Desoto County, Mississippi.

And

A part of the Long Pond Place described as follows:

The South 1870 feet of Section 30, LESS the 20.5 acre Parham Parcel along the South side of Section 30, totaling 202.2 acres, more or less. All being in the South Half of Section 30, Township 1 South, Range 9 West, Desoto County, Mississippi.

TO HAVE AND TO HOLD unto Blythe, her heirs and assigns, but subject to the following matters, to-wit:

- (1) Ad valorem taxes and/or special assessments for the year 2007, which shall be adjusted and prorated between the parties upon the receipt of the 2007 tax statements from the Desoto County Tax Collector, and ad valorem taxes and/or special assessments for subsequent years.
- (2) Zoning ordinances of the Desoto County, Mississippi, and any other federal, state or local land use regulations affecting the use, condition or occupancy of the any of the real property.
- (3) Any matters which would be disclosed by an accurate survey and competent ground examination of any of the real property.
- (4) All prior reservations or conveyances of minerals in, on or under any of the real property, and all servitudes, dedications, rights-of-way and easements affecting any of the real property.

(5) All prior conveyances of any of the real property to the Board of Levee Commissions of the Yazoo-Mississippi Delta

IN TESTIMONY WHEREOF, witness the execution hereof by Trustee, on this, the 18 day of December, 2007.

Betty Mason Blythe
 BETTY MASON BLYTHE, as
 Trustee of the Credit Shelter or
 Exemption Equivalent Trust created
 under the Will of Shelton M. Blythe,
 Deceased, of record in Will Book 14 at
 Page 30 of the official records of
 Desoto County, Mississippi,

"Trustee"

ACKNOWLEDGMENT

STATE OF MISSISSIPPI
 COUNTY OF Coahoma

THIS DAY personally appeared before me, the undersigned authority within and for the aforesaid State and County, **BETTY MASON BLYTHE**, in her capacity as Trustee of the Credit Shelter or Exemption Equivalent Trust created under the Will of Shelton M. Blythe, Deceased, of record in Will Book 14 at Page 30 of the official records of Desoto County, Mississippi, who acknowledged that she signed, executed and delivered the above and foregoing PARTITION DEED on the day and year therein mentioned for and on behalf of the trust, being authorized therein so to do.

GIVEN under my hand and official seal on this, the 18th day of December, 2007.

Christy Walters (Holley)
 Notary Public

My Commission Expires: 4-29-09



Address and Telephone
Number of Trustee

6525 Masters Drive
Olive Branch, MS 38654
Telephone: 662-895-0378

Address and Telephone
Number of Blythe

6525 Masters Drive
Olive Branch, MS 38654
Telephone: 662-895-0378

This Instrument Prepared By:

William M. Chaffin

WILLIAM M. CHAFFIN P.C.

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Post Office Box 368

Clarksdale, Mississippi 38614-0368

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Indexing Instructions: index the property described in the foregoing instrument in the SE 1/4 and SW 1/4 off Section 19, and NE 1/4, NW1/4 SE1/4 and SW 1/4 of Section 30, all in Township 1 South, Range 9 West, Desoto County, Mississippi